

107TH CONGRESS  
2D SESSION

# H. R. 4893

To authorize the Secretary of Agriculture to convey certain lands and improvements associated with the National Forest System in the State of Pennsylvania, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2002

Mr. PETERSON of Pennsylvania introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To authorize the Secretary of Agriculture to convey certain lands and improvements associated with the National Forest System in the State of Pennsylvania, 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; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the

5       “Pennsylvania National Forest Improvement Act of

6       2002”.

7       (b) TABLE OF CONTENTS.—The table of contents for

8       this Act is as follows:

See. 1. Short title; table of contents.

Sec. 2. Disposal of administrative sites, Allegheny National Forest, Pennsylvania.

Sec. 3. Conveyance of Sheffield Ranger District Headquarters, Warren County, Pennsylvania.

Sec. 4. Conveyance of Marienville Ranger Residence, Forest County, Pennsylvania.

Sec. 5. Disposition of funds.

Sec. 6. Administration of land acquired by United States.

Sec. 7. Relation to other conveyances authorities.

## 1 **SEC. 2. DISPOSAL OF ADMINISTRATIVE SITES, ALLEGHENY**

### 2 **NATIONAL FOREST, PENNSYLVANIA.**

3 (a) **DISPOSAL AUTHORITY.**—The Secretary of Agriculture may convey, by sale or exchange, any and all right, title, and interest of the United States in and to the following National Forest System lands and administrative sites:

8 (1) US Tract 121, Sheffield ranger residence, 0.41 acres, as depicted on the plat titled “Allegheny Unit, Allen M. Gibson Tract 121, March 1942”.

11 (2) US Tract 904, 8.812 acres and US Tract 905, 0.869 acres, Ridgway Ranger District Headquarters, as depicted on the plats titled “Allegheny Unit, Harry R. & Eliza E. Larson Tract 904, 1959” and “Allegheny Unit, Leo S. & Laura A. Guth Tract 905, July 1948”.

17 (3) US Tract 896, an undeveloped administrative site, 2.42 acres, as depicted on the plat titled “Allegheny Unit, Howard L. Harp Tract 896, 1947”.

1 (4) US Tract 1047 (formerly Tracts 551,  
2 551a,b,c), original Marienville Ranger District  
3 Headquarters, 4.90 acres, as depicted on the plat ti-  
4 tled "Marienville Ranger Station Compound Tract  
5 1047, August 1998".

6 (5) US Tract 844, Marienville ranger residence,  
7 as depicted on the plat titled "Allegheny Unit, Peter  
8 B. DeSmet Tract 844, 1936", except that portion of  
9 the tract shown as Lot 2, on the Survey Plat pre-  
10 pared by D. M. Heller and dated December 12,  
11 1999.

(b) PROPERTY DESCRIPTIONS.—The maps referred to in subsection (a) are the primary descriptions of the lands to which the maps refer. In the event of a conflict between the map description and the metes and bounds description of the lands, the map shall be deemed to be the definitive description of the lands unless the map cannot be located. The maps shall be on file and available for public inspection in the Office of the Chief of the Forest Service until the lands are disposed of pursuant to this section.

## 22 (c) CONSIDERATION.—

23 (1) AUTHORIZED CONSIDERATION.—As consider-  
24 eration for a conveyance of land under subsection  
25 (a), the recipient of the land, with the consent of the

1       Secretary, may convey to the Secretary other land,  
2       existing improvements, or improvements constructed  
3       to the specifications of the Secretary.

4                   (2) CASH EQUALIZATION.—Notwithstanding  
5       any other provision of law, the Secretary may accept  
6       a cash equalization payment in excess of 25 percent  
7       of the value of any land and administrative site ex-  
8       changed under subsection (a).

9                   (d) APPLICABLE LAW.—Except as otherwise provided  
10      in this section, any conveyance of land under subsection  
11      (a) shall be subject to the laws and regulations applicable  
12      to the conveyance and acquisition of land for the National  
13      Forest System.

14                   (e) SOLICITATION OF OFFERS.—

15                   (1) CONVEYANCE PRIORITY.—In the selection  
16      of the recipient of land under this section, the Sec-  
17      retary may give a preference to public entities that  
18      agree to use the land for public purposes.

19                   (2) TERMS AND CONDITIONS.—The Secretary  
20      may solicit offers for the conveyance of land under  
21      this section on such terms and conditions as the Sec-  
22      retary may prescribe.

23                   (3) REJECTION OF OFFERS.—The Secretary  
24      may reject any offer made under this section if the

- 1      Secretary determines that the offer is not adequate
- 2      or not in the public interest.

3 (f) REVOCATIONS.—Notwithstanding any other provi-  
4 sion of law, on conveyance of land by the Secretary under  
5 this section, any public order withdrawing the land from  
6 any form of appropriation under the public land laws is  
7 revoked.

8           (g) ADDITIONAL TERMS AND CONDITIONS.—The  
9   Secretary may require such additional terms and condi-  
10 tions in connection with any conveyance under subsection  
11 (a) as the Secretary considers appropriate to protect the  
12 interests of the United States.

13 SEC. 3. CONVEYANCE OF SHEFFIELD RANGER DISTRICT  
14 HEADQUARTERS, WARREN COUNTY, PENN-  
15 SYLVANIA.

16 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
17 Agriculture may convey to the Warren County Develop-  
18 ment Association of Warren County, Pennsylvania, all  
19 right, title, and interest of the United States in and to  
20 US Tract 770, Sheffield Ranger District Headquarters,  
21 consisting of 5.50 acres, as depicted on the plat titled “Al-  
22 legheny Unit, Elk Tanning Company Tract 770, 1934”.

23 (b) CONSIDERATION.—As consideration for the con-  
24 veyance under subsection (a), the Warren County Develop-

1 ment Association shall make to the Secretary a lump sum  
2 payment of \$100,000.

3 (c) PROPERTY DESCRIPTION.—The map referenced  
4 in subsection (a) is the primary description of the lands  
5 to which the map refers. In the event of a conflict between  
6 the map description and the metes and bounds description  
7 of the lands, the map shall be deemed to be the definitive  
8 description of the lands unless the map cannot be located.  
9 The map shall be on file and available for public inspection  
10 in the Office of the Chief of the Forest Service until the  
11 lands are disposed of pursuant to this section.

12 (d) REVOCATIONS.—Notwithstanding any other pro-  
13 vision of law, on conveyance of land by the Secretary  
14 under this section, any public order withdrawing the land  
15 from any form of appropriation under the public land laws  
16 is revoked.

17 **SEC. 4. CONVEYANCE OF MARIENVILLE RANGER RESI-**  
18 **DENCE, FOREST COUNTY, PENNSYLVANIA.**

19 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
20 Agriculture may convey, without consideration, to the  
21 Marienville Volunteer Fire Department of Forest County,  
22 Pennsylvania, all right, title, and interest of the United  
23 States in and to that portion of US Tract 844, Marienville  
24 ranger residence, as depicted as Lot 2, on the Survey Plat  
25 prepared by D. M. Heller and dated December 12, 1999.

1        (b) PROPERTY DESCRIPTION.—The map referenced  
2 in subsection (a) is the primary description of the lands  
3 to which the map refers. In the event of a conflict between  
4 the map description and the metes and bounds description  
5 of the lands, the map shall be deemed to be the definitive  
6 description of the lands unless the map cannot be located.  
7 The map shall be on file and available for public inspection  
8 in the Office of the Chief of the Forest Service until the  
9 lands are disposed of pursuant to this section.

10       (c) REVOCATIONS.—Notwithstanding any other pro-  
11 vision of law, on conveyance of land by the Secretary  
12 under this section, any public order withdrawing the land  
13 from any form of appropriation under the public land laws  
14 is revoked.

15 **SEC. 5. DISPOSITION OF FUNDS.**

16       (a) DEPOSIT IN SISK ACT FUND.—The Secretary of  
17 Agriculture shall deposit in the fund established under  
18 Public Law 90–171 (16 U.S.C. 484a; commonly known  
19 as the Sisk Act)—

20               (1) the proceeds of a sale or exchange under  
21 section 2; and  
22               (2) the consideration received pursuant to sec-  
23 tion 3(b).

1       (b) USE OF PROCEEDS.—Subject to subsection (c),  
2 funds deposited under subsection (a) shall be available to  
3 the Secretary, without further appropriation, for—

9 (c) CONDITION ON LAND ACQUISITION.—The acqui-  
10 sition of lands in the Allegheny National Forest using  
11 funds deposited under subsection (a) is subject to the con-  
12 dition that the market value of the acquired lands may  
13 not exceed 125 percent of the market value of the lands  
14 disposed of under this Act.

15 SEC. 6. ADMINISTRATION OF LAND ACQUIRED BY UNITED  
16 STATES.

17        Lands acquired by the Secretary of Agriculture under  
18 section 5(b) or by exchange under section 2 shall be man-  
19 aged by the Secretary in accordance with the Act of March  
20 1, 1911 (commonly known as the Weeks Act; 16 U.S.C.  
21 480 et seq.) and other laws and regulations pertaining to  
22 National Forest System lands. For the purposes of section  
23 7 of the Land and Water Conservation Fund Act of 1965  
24 (16 U.S.C. 460l-9), the boundaries of the Allegheny Na-  
25 tional Forest, as adjusted on account of the disposal and

1 acquisition of lands under this Act, shall be considered to  
2 be the boundaries of that national forest as of January  
3 1, 1965.

4 **SEC. 7. RELATION TO OTHER CONVEYANCES AUTHORITIES.**

5 Except as expressly provided in this Act, nothing in  
6 this Act affects any other authority of the Secretary of  
7 Agriculture to sell, exchange, or acquire land. Lands au-  
8 thorized for disposal under this Act shall not be subject  
9 to the Federal Property and Administrative Services Act  
10 of 1949 (40 U.S.C. 471 et seq.).

