

108TH CONGRESS  
1ST SESSION

# H. R. 902

To authorize the Secretary of Agriculture to convey certain parcels of National Forest System land in the State of Idaho, to use the proceeds for the acquisition, construction, or rehabilitation of facilities in the Panhandle National Forest in the State of Idaho, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2003

Mr. OTTER introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To authorize the Secretary of Agriculture to convey certain parcels of National Forest System land in the State of Idaho, to use the proceeds for the acquisition, construction, or rehabilitation of facilities in the Panhandle National Forest in the State of Idaho, 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 “Idaho Panhandle Na-  
5       tional Forest Improvement Act of 2003”.

1 **SEC. 2. CONVEYANCE ADMINISTRATIVE SITES, NATIONAL**  
2 **FOREST SYSTEM LAND, IDAHO.**

3 (a) CONVEYANCE AUTHORIZED.—

4 (1) AUTHORITY.—The Secretary of Agriculture  
5 may convey any or all right, title, and interest of the  
6 United States in and to the parcels of National For-  
7 est System land, including any improvements there-  
8 on, described in paragraph (2).

9 (2) PARCELS AUTHORIZED FOR CONVEY-  
10 ANCE.—The following parcels of National Forest  
11 System land are authorized to be conveyed under  
12 this section:

13 (A) Granite/Reeder Bay, Priest Lake par-  
14 cel, consisting of approximately 80 acres, and  
15 described as the S.½ NE.¼ of section 17,  
16 township 61 north, range 4 east, Boise merid-  
17 ian.

18 (B) North South Ski area, consisting of  
19 approximately 50 acres, and described as the  
20 SE.¼ SE.¼ SW.¼, S.½ SW.¼ SE.¼, NE.¼  
21 SW.¼ SE.¼, and SW.¼ SE.¼ SE.¼ of sec-  
22 tion 13, township 43 north, range 3 west, Boise  
23 meridian.

24 (C) Shoshone work camp (including ease-  
25 ments for utilities), consisting of a portion of

1           S.1/2 SE.1/4 of section 5, township 50 north,  
2           range 4 east, Boise meridian.

3           (3) MODIFICATION OF DESCRIPTIONS.—The  
4           Secretary may modify the descriptions in paragraph  
5           (2) to correct errors in the descriptions or to recon-  
6           figure the parcels to facilitate their conveyance  
7           under this section.

8           (b) CONSIDERATION.—

9           (1) MARKET VALUE REQUIRED.—As consider-  
10          ation for the conveyance of a parcel of National For-  
11          est System land under this section, the recipient of  
12          the parcel shall pay to the Secretary an amount  
13          equal to the market value of the parcel, as deter-  
14          mined under subsection (c). At the election of the  
15          Secretary, the consideration may be in the form of  
16          cash or other consideration, including the acquisition  
17          by the Secretary of improved or unimproved prop-  
18          erty or property with improvements constructed to  
19          the specifications of the Secretary.

20          (2) VALUATION.—The value of a parcel to be  
21          conveyed under this section, and the value of any  
22          property or improvements to be received in exchange  
23          for the parcel, shall be determined by an appraisal  
24          that—

25                 (A) is acceptable to the Secretary; and

1 (B) conforms with the Uniform Appraisal  
2 Standards for Federal Land Acquisitions.

3 (3) EQUALIZATION OF VALUES.—Notwith-  
4 standing section 206(b) of the Federal Land Policy  
5 and Management Act of 1976 (43 U.S.C. 1716(b)),  
6 the Secretary may accept a cash equalization pay-  
7 ment in excess of 25 percent of the value of a parcel  
8 conveyed under this section.

9 (c) CONVEYANCE PROCESS.—

10 (1) SOLICITATIONS OF OFFERS.—The Secretary  
11 may solicit offers for the conveyance of property  
12 under this section on such terms and conditions as  
13 the Secretary may prescribe. The Secretary may re-  
14 ject any offer made under this section if the Sec-  
15 retary determines that the offer is not adequate or  
16 not in the public interest.

17 (2) METHODS OF CONVEYANCE.—The Sec-  
18 retary may convey property under this section at  
19 public or private sale, including at auction, or by ex-  
20 change, in accordance with such terms, conditions,  
21 and procedures as the Secretary determines to be in  
22 the best interests of the United States.

23 (3) APPLICABLE LAW.—Except as otherwise  
24 provided in this section, the conveyance of National  
25 Forest System land under this section shall be sub-

1       ject to the laws applicable to the conveyance and ac-  
2       quisition of land for the National Forest System.  
3       The Agriculture Property Management Regulations  
4       shall not apply to the conveyance of National Forest  
5       System land under this section or any other action  
6       taken under this section.

7       (d) DEPOSIT AND USE OF PROCEEDS.—

8           (1) DEPOSIT.—The Secretary shall deposit the  
9       proceeds derived from the conveyance of property  
10      under this section in the fund established by Public  
11      Law 90–171 (commonly known as the “Sisk Act”;  
12      16 U.S.C. 484a).

13          (2) USE.—Amounts deposited under this sub-  
14      section shall be available to the Secretary, without  
15      further appropriation and until expended—

16           (A) for the acquisition of, construction of,  
17      or rehabilitation of existing facilities for, a new  
18      ranger station in the Silver Valley portion of  
19      the Panhandle National Forest in the State of  
20      Idaho; and

21           (B) to the extent that the amount of funds  
22      deposited exceeds the amount needed for the  
23      purpose described in subparagraph (A), for the  
24      acquisition, construction, or rehabilitation of

1 other facilities in the Panhandle National For-  
2 est.

3 (3) LIMITATIONS.—Funds deposited under this  
4 subsection shall not—

5 (A) be paid or distributed to States or  
6 counties under any provision of law; or

7 (B) be considered to be moneys received  
8 from units of the National Forest System for  
9 purposes of—

10 (i) the sixth paragraph under the  
11 heading “Forest Service” in the Act of  
12 May 23, 1908 (16 U.S.C. 500);

13 (ii) section 13 of the Act of March 1,  
14 1911 (commonly known as the “Weeks  
15 Law”; 16 U.S.C. 500); or

16 (iii) the fourteenth paragraph under  
17 the heading “Forest Service” in the Act of  
18 March 4, 1913 (16 U.S.C. 501).

19 (4) NEW ADMINISTRATIVE FACILITIES AUTHOR-  
20 IZED.—The Secretary may acquire, construct, or re-  
21 habilitate the ranger station described in paragraph  
22 (2)(A), and acquire associated land, using amounts  
23 deposited under this subsection and, to the extent  
24 such amounts are insufficient for such purpose,

1 other funds appropriated or otherwise made avail-  
2 able for such purpose.

3 (e) MANAGEMENT OF ACQUIRED LAW.—Subject to  
4 valid existing rights, the Secretary shall manage any land  
5 acquired under this section in accordance with the Act of  
6 March 1, 1911 (commonly known as the “Weeks Act”;  
7 16 U.S.C. 480 et seq.) and other laws relating to the Na-  
8 tional Forest System.

9 (f) WITHDRAWALS AND REVOCATIONS.—

10 (1) PUBLIC LAND ORDERS.—Effective on the  
11 date of the enactment of this Act, any public land  
12 order withdrawing the property authorized for con-  
13 veyance under this section from appropriation under  
14 the public land laws is revoked with respect to the  
15 property.

16 (2) WITHDRAWAL.—Subject to valid existing  
17 rights, the property authorized for conveyance under  
18 this section is withdrawn from location, entry, and  
19 patent under the mining laws of the United States.

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