

Union Calendar No. 373

112TH CONGRESS
2^D SESSION

H. R. 4039

[Report No. 112-525]

To convey certain Federal land to the city of Yerington, Nevada.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2012

Mr. AMODEI (for himself, Mr. HECK, and Ms. BERKLEY) introduced the following bill; which was referred to the Committee on Natural Resources

JUNE 15, 2012

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 15, 2012]

A BILL

To convey certain Federal land to the city of Yerington,
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 “Yerington Land Convey-*
5 *ance and Sustainable Development Act”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds that—*

8 *(1) the city of Yerington, Nevada, which has an*
9 *unemployment rate of 16 percent, has the highest un-*
10 *employment rate in the State of Nevada;*

11 *(2) for over 4 years, the city of Yerington and*
12 *Lyon County, Nevada, have been working with pri-*
13 *vate business partners to develop a sustainable devel-*
14 *opment plan that would enable all parties to benefit*
15 *from the use of private land adjacent to the city of*
16 *Yerington for potential commercial and industrial de-*
17 *velopment, mining activities, recreation opportuni-*
18 *ties, and the expansion of community and cultural*
19 *events;*

20 *(3) the sustainable development plan referred to*
21 *in paragraph (2) requires the conveyance of certain*
22 *Federal land administered by the Bureau of Land*
23 *Management to the City for consideration in an*
24 *amount equal to the fair market value of the Federal*
25 *land;*

1 (4) *the Federal land to be conveyed to the City*
2 *under the sustainable development plan has very few*
3 *environmental, historical, wildlife, or cultural re-*
4 *sources of value to the public, but is appropriate for*
5 *responsible development;*

6 (5) *the Federal land that would be conveyed to*
7 *the City under the sustainable development plan—*

8 (A) *is adjacent to the boundaries of the*
9 *City; and*

10 (B) *would be used—*

11 (i) *to enhance recreational, cultural,*
12 *commercial, and industrial development op-*
13 *portunities in the City;*

14 (ii) *for future economic development,*
15 *regional use, and as an open space buffer to*
16 *the City; and*

17 (iii) *to allow the City to provide crit-*
18 *ical infrastructure services;*

19 (6) *commercial and industrial development of*
20 *the Federal land would enable the community to ben-*
21 *efit from the transportation, power, and water infra-*
22 *structure that would be put in place with the concur-*
23 *rent development of commercial and industrial oper-*
24 *ations;*

25 (7) *the conveyance of the Federal land would—*

1 (A) help the City and County to grow; and

2 (B) provide additional tax revenue to the
3 City and County;

4 (8) industrial and commercial development of
5 the Federal land would create thousands of long-term,
6 high-paying jobs for the City and County; and

7 (9) the Lyon County Commission and the City
8 unanimously approved resolutions in support of the
9 conveyance of the Federal land because the conveyance
10 would facilitate a sustainable model for long-term eco-
11 nomic and industrial development.

12 **SEC. 3. DEFINITIONS.**

13 *In this title:*

14 (1) *CITY.*—The term “City” means the city of
15 Yerington, Nevada.

16 (2) *FEDERAL LAND.*—The term “Federal land”
17 means the land located in Lyon County and Mineral
18 County, Nevada, that is identified on the map as
19 “City of Yerington Sustainable Development Convey-
20 ance Lands”.

21 (3) *MAP.*—The term “map” means the map enti-
22 tled “Yerington Land Conveyance and Sustainable
23 Development Act” and dated May 31, 2012.

24 (4) *SECRETARY.*—The term “Secretary” means
25 the Secretary of the Interior.

1 **SEC. 4. CONVEYANCES OF LAND TO CITY OF YERINGTON,**
2 **NEVADA.**

3 (a) *IN GENERAL.*—Not later than 90 days after the
4 date of enactment of this title, subject to valid existing
5 rights, and notwithstanding the land use planning require-
6 ments of sections 202 and 203 of the Federal Land Policy
7 and Management Act of 1976 (43 U.S.C. 1712, 1713), the
8 Secretary shall convey to the City, subject to the City's
9 agreement and in exchange for consideration in an amount
10 equal to the fair market value of the Federal land, all right,
11 title, and interest of the United States in and to the Federal
12 land identified on the map.

13 (b) *APPRAISAL TO DETERMINE OF FAIR MARKET*
14 *VALUE.*—The Secretary shall determine the fair market
15 value of the Federal land to be conveyed—

16 (1) *in accordance with the Federal Land Policy*
17 *and Management Act of 1976 (43 U.S.C. 1701 et*
18 *seq.); and*

19 (2) *based on an appraisal that is conducted in*
20 *accordance with nationally recognized appraisal*
21 *standards, including—*

22 (A) *the Uniform Appraisal Standards for*
23 *Federal Land Acquisition; and*

24 (B) *the Uniform Standards of Professional*
25 *Appraisal Practice.*

1 (c) *AVAILABILITY OF MAP.*—*The map shall be on file*
2 *and available for public inspection in the appropriate of-*
3 *fices of the Bureau of Land Management.*

4 (d) *APPLICABLE LAW.*—*Beginning on the date on*
5 *which the Federal land is conveyed to the City, the develop-*
6 *ment of and conduct of activities on the Federal land shall*
7 *be subject to all applicable Federal laws (including regula-*
8 *tions).*

9 (e) *ADMINISTRATIVE COSTS.*—*The City shall be re-*
10 *sponsible for all survey, appraisal, and other administra-*
11 *tive costs associated with the conveyance of the Federal land*
12 *to the City under this title.*

13 **SEC. 5. RELEASE OF THE UNITED STATES.**

14 *Upon making the conveyance under section 4, notwith-*
15 *standing any other provision of law, the United States is*
16 *released from any and all liabilities or claims of any kind*
17 *or nature arising from the presence, release, or threat of*
18 *release of any hazardous substance, pollutant, contaminant,*
19 *petroleum product (or derivative of a petroleum product of*
20 *any kind), solid waste, mine materials or mining related*
21 *features (including tailings, overburden, waste rock, mill*
22 *remnants, pits, or other hazards resulting from the presence*
23 *of mining related features) on the Federal Land in existence*
24 *on or before the date of the conveyance.*

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