

112TH CONGRESS
2D SESSION

H. R. 6236

To direct the Secretary of the Interior, acting through the Bureau of Land Management and the Bureau of Reclamation, to convey, by quitclaim deed, to the City of Fernley, Nevada, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of either of those agencies.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2012

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

A BILL

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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. DEFINITIONS.**

4 In this Act:

5 (1) CITY.—The term “City” means the City of
6 Fernley, Nevada.

1 (2) FEDERAL LAND.—The term “Federal land”
2 means the land located in the City of Fernley, Ne-
3 vada, that is identified by the Secretary and the City
4 for conveyance under this Act.

5 (3) MAP.—The term “map” means the map en-
6 titled “Proposed City of Fernley, Nev., Land Sale”
7 and dated July 27, 2012.

8 **SEC. 2. CONVEYANCE OF CERTAIN FEDERAL LAND TO CITY**
9 **OF FERNLEY, NEVADA.**

10 (a) CONVEYANCE AUTHORIZED.—Subject to valid ex-
11 isting rights and not later than 180 days after the date
12 on which the Secretary of the Interior receives an offer
13 from the City to purchase the Federal land depicted on
14 the map, the Secretary, acting through the Bureau of
15 Land Management and the Bureau of Reclamation, shall
16 convey, notwithstanding the land use planning require-
17 ments of sections 202 and 203 of the Federal Land Policy
18 and Management Act of 1976 (43 U.S.C. 1712, 1713),
19 to the City in exchange for consideration in an amount
20 equal to the fair market value of the Federal land, all
21 right, title, and interest of the United States in and to
22 such Federal land.

23 (b) APPRAISAL TO DETERMINE FAIR MARKET
24 VALUE.—The Secretary shall determine the fair market
25 value of the Federal land to be conveyed—

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

4 (2) based on an appraisal that is conducted in
5 accordance with nationally recognized appraisal
6 standards, including—

7 (A) the Uniform Appraisal Standards for
8 Federal Land Acquisition; and

9 (B) the Uniform Standards of Professional
10 Appraisal Practice.

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

14 (d) RESERVATION OF EASEMENTS AND RIGHTS-OF-
15 WAY.—The City and the Bureau of Reclamation may re-
16 tain easements or rights-of-way on the Federal land to be
17 conveyed, including easements or rights-of-way the Bu-
18 reau of Reclamation determines are necessary to carry
19 out—

20 (1) the operation and maintenance of the
21 Truckee Canal Irrigation District Canal; or

22 (2) the Newlands Project.

23 (e) COSTS.—The City shall, at closing for the convey-
24 ance authorized under subsection (a), pay or reimburse
25 the Secretary, as appropriate, for the reasonable trans-

1 action and administrative personnel costs associated with
2 the conveyance authorized under such subsection, includ-
3 ing the costs of appraisal, title searches, maps, and bound-
4 ary and cadastral surveys.

5 (f) APPLICABILITY OF OTHER LAWS.—A conveyance
6 or combination of conveyances made under this section
7 shall be made notwithstanding any of the following:

8 (1) The National Environmental Policy Act of
9 1969 (42 U.S.C. 4321 et seq.).

10 (2) The Endangered Species Act of 1973 (16
11 U.S.C. 1531).

12 (3) The Comprehensive Environmental Re-
13 sponse, Compensation, and Liability Act (42 U.S.C.
14 9601 et seq.).

15 (4) The National Historical Preservation Act
16 (16 U.S.C. 470 et seq.).

17 (5) The Native American Graves Protection and
18 Repatriation Act (25 U.S.C. 3001 et seq.).

19 (6) The Canal Act of 1890 (43 U.S.C. 945).

20 **SEC. 3. RELEASE OF UNITED STATES.**

21 Upon making the conveyance under section 2, not-
22 withstanding any other provision of law, the United States
23 is released from any and all liabilities or claims of any
24 kind or nature arising from the presence, release, or threat
25 of release of any hazardous substance, pollutant, contami-

1 nant, petroleum product (or derivative of a petroleum
2 product of any kind), solid waste, mine materials or min-
3 ing related features (including tailings, overburden, waste
4 rock, mill remnants, pits, or other hazards resulting from
5 the presence of mining related features) on the Federal
6 land in existence on or before the date of the conveyance.

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