

Union Calendar No. 215

113TH CONGRESS
1ST SESSION

H. R. 1170

[Report No. 113–297]

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

MARCH 14, 2013

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

DECEMBER 16, 2013

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 *italie*]

[For text of introduced bill, see copy of bill as introduced on March 14, 2013]

A BILL

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.

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.*

7 (2) *FEDERAL LAND.*—*The term “Federal land”*
8 *means the approximately 9,407 acres of land located*
9 *in the City of Fernley, Nevada, that is identified by*
10 *the Secretary and the City for conveyance under this*
11 *Act.*

12 (3) *MAP.*—*The term “map” means the map enti-*
13 *tled “Proposed Fernley, Nevada, Land Sales” and*
14 *dated January 25, 2013.*

15 **SEC. 2. CONVEYANCE OF CERTAIN FEDERAL LAND TO CITY**
16 **OF FERNLEY, NEVADA.**

17 (a) *CONVEYANCE AUTHORIZED.*—*Subject to valid ex-*
18 *isting rights and not later than 180 days after the date*
19 *on which the Secretary of the Interior receives an offer from*
20 *the City to purchase the Federal land depicted on the map,*
21 *the Secretary, acting through the Bureau of Land Manage-*
22 *ment and the Bureau of Reclamation, shall convey, not-*
23 *withstanding the land use planning requirements of sec-*
24 *tions 202 and 203 of the Federal Land Policy and Manage-*
25 *ment Act of 1976 (43 U.S.C. 1712, 1713), to the City in*

1 *exchange for consideration in an amount equal to the fair*
 2 *market value of the Federal land, all right, title, and inter-*
 3 *est of the United States in and to such Federal land.*

4 (b) *APPRAISAL TO DETERMINE FAIR MARKET*
 5 *VALUE.—The Secretary shall determine the fair market*
 6 *value of the Federal land to be conveyed—*

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

10 (2) *based on an appraisal that is conducted in*
 11 *accordance with nationally recognized appraisal*
 12 *standards, including—*

13 (A) *the Uniform Appraisal Standards for*
 14 *Federal Land Acquisition; and*

15 (B) *the Uniform Standards of Professional*
 16 *Appraisal Practice.*

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

20 (d) *RESERVATION OF EASEMENTS AND RIGHTS-OF-*
 21 *WAY.—The City and the Bureau of Reclamation may re-*
 22 *tain easements or rights-of-way on the Federal land to be*
 23 *conveyed, including easements or rights-of-way the Bureau*
 24 *of Reclamation determines are necessary to carry out—*

1 (1) *the operation and maintenance of the Truck-*
2 *ee Canal; or*

3 (2) *the Newlands Project.*

4 (e) *COSTS.*—*The City shall, at closing for the convey-*
5 *ance authorized under subsection (a), pay or reimburse the*
6 *Secretary, as appropriate, for the reasonable transaction*
7 *and administrative personnel costs associated with the con-*
8 *veyance authorized under such subsection, including the*
9 *costs of appraisal, title searches, maps, and boundary and*
10 *cadastral surveys.*

11 (f) *CONVEYANCE NOT A MAJOR FEDERAL ACTION.*—
12 *A conveyance or a combination of conveyances made under*
13 *this section shall not be considered a major Federal action*
14 *for purposes of section 102(2) of the National Environ-*
15 *mental Policy Act of 1969 (42 U.S.C. 4332(2)).*

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

17 *Upon making the conveyance under section 2, notwith-*
18 *standing any other provision of law, the United States is*
19 *released from any and all liabilities or claims of any kind*
20 *or nature arising from the presence, release, or threat of*
21 *release of any hazardous substance, pollutant, contaminant,*
22 *petroleum product (or derivative of a petroleum product of*
23 *any kind), solid waste, mine materials or mining related*
24 *features (including tailings, overburden, waste rock, mill*
25 *remnants, pits, or other hazards resulting from the presence*

1 *of mining related features) on the Federal land in existence*
2 *on or before the date of the conveyance.*

3 **SEC. 4. WITHDRAWAL.**

4 *Subject to valid existing rights, the Federal land to be*
5 *conveyed under section 2 of this Act shall be withdrawn*
6 *from all forms of—*

7 *(1) entry, appropriation, or disposal under the*
8 *public land laws;*

9 *(2) location, entry, and patent under the mining*
10 *laws; and*

11 *(3) disposition under the mineral leasing, min-*
12 *eral materials, and geothermal leasing laws.*

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