

114TH CONGRESS
2D SESSION

H. R. 5861

To establish terms and conditions under which the Secretary of the Interior shall convey, for fair market value, certain properties in the Lake Roosevelt National Recreation Area in the State of Washington to the permittees of those properties, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Mrs. McMORRIS RODGERS introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish terms and conditions under which the Secretary of the Interior shall convey, for fair market value, certain properties in the Lake Roosevelt National Recreation Area in the State of Washington to the permittees of those properties, 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. FINDING.**

4 Congress finds that it is in the public interest to
5 eliminate expensive and contentious disputes between the
6 Secretary and permittees by conveying, for fair market

1 value, certain federally owned land in the Lake Roosevelt
2 National Recreation Area, Washington.

3 **SEC. 2. PURPOSE.**

4 The purpose of this Act is to establish terms and con-
5 ditions under which the Secretary shall convey, for fair
6 market value (less the improvements), certain Federal
7 land in the Lake Roosevelt National Recreation Area,
8 Washington.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) PERMITTEE.—The term “permittee”—

12 (A) means a person who, on the date of
13 the enactment of this Act, holds a valid permit
14 for use of a Property; and

15 (B) includes the permittee’s heirs, execu-
16 tors, and assigns of that permittee’s interest.

17 (2) PROPERTY.—The term “Property” means
18 Federal land (including improvements) associated by
19 permit with one of 25 private cabins on 26 vacation
20 sites located along Sherman Creek and Rickey Point
21 in the Lake Roosevelt National Recreation Area.

22 (3) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

1 **SEC. 4. SALE OF PROPERTIES.**

2 (a) TIMING; PURCHASER TO EXTEND OPTION TO
3 PURCHASE.—

4 (1) IN GENERAL.—The Secretary shall give the
5 permittee of a Property the first option to purchase
6 that Property for fair market value (less the value
7 of all permittee improvements) as determined under
8 subsection (d). The Secretary shall convey the Prop-
9 erty as soon as practicable after the date of the en-
10 actment of this Act, but no later than at the conclu-
11 sion of the current permit period. If the Secretary
12 fails to convey the property before the lease expires,
13 the Secretary shall authorize permit extensions at no
14 additional cost to the permittee.

15 (2) COMPENSATION FOR IMPROVEMENTS.—If a
16 permittee declines to purchase a Property, the Sec-
17 retary shall offer the Property for sale to the general
18 public at fair market value, as determined under
19 subsection (d). If a person other than the permittee
20 purchases the Property, that person shall com-
21 pensate the permittee for the fair market value of all
22 private improvements made to the Property, as de-
23 termined under subsection (d).

24 (3) FAILURE TO SELL.—If no person submits a
25 bid at or above the fair market value as determined

1 under subsection (d), the property shall remain in
2 Federal ownership.

3 (b) IN GENERAL.—The Secretary—

4 (1) shall offer to sell, for fair market value—

5 (A) all right, title, and interest of the
6 United States in and to each Property, subject
7 to valid existing rights; and

8 (B) easements for—

9 (i) vehicular access to such Property;

10 (ii) access to and use of one dock for
11 such Property; and

12 (iii) access to and use of all boat-
13 houses, ramps, retaining walls, and other
14 improvements for which access is provided
15 in the permit for use of such Property on
16 the date of the enactment of this Act; and

17 (2) may sell, for fair market value, Federal land
18 contiguous to each Property, not including shoreline
19 or land needed to provide public access to the shore-
20 line, if the Secretary—

21 (A) determines that such a sale will elimi-
22 nate inholdings and facilitate administration of
23 adjacent land remaining in Federal ownership
24 after the sale of each Property; and

1 (B) after consultation with the appropriate
2 Indian tribe, determines that such a sale will
3 not adversely affect Indian cultural resources
4 and sacred sites.

5 (c) PURCHASE PROCESS.—The Secretary shall—

6 (1) solicit sealed bids for each Property; and

7 (2) sell each Property to the bidder who sub-
8 mits the highest bid at or above the fair market
9 value of the Property, as determined under sub-
10 section (d).

11 (d) APPRAISAL.—The Secretary shall conduct an ap-
12 praisal of each Property (less the value of all permittee
13 improvements) to determine the fair market value of that
14 Property. The appraisal shall—

15 (1) be conducted in conformance with the Uni-
16 form Standards of Professional Appraisal Practice;

17 (2) appraise the value of the Property, includ-
18 ing the value of appurtenant easements, exclusive of
19 the value of private improvements made by permit-
20 tees of the Property before the date of the appraisal;
21 and

22 (3) appraise the value of all private improve-
23 ments made by permittees of the Property before the
24 date of the appraisal.

1 (e) COSTS.—The cost of a conveyance of a Property
2 under this Act, including the cost of required appraisals,
3 shall be paid—

4 (1) by the Secretary in the case of a sale to a
5 permittee, from revenues of that sale; and

6 (2) by the purchaser in the case of a sale to any
7 person other than the permittee.

8 **SEC. 5. PROCEEDS FROM THE SALE OF LAND.**

9 Revenues from the sale of Federal land under this
10 Act shall be made available to the Secretary, without fur-
11 ther appropriation, for costs under section 4(e)(1) and for
12 deferred maintenance activities in the Lake Roosevelt Na-
13 tional Recreation Area.

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