

Calendar No. 597

103^D CONGRESS
2^D SESSION

S. 528

[Report No. 103-3551]

A BILL

To provide for the transfer of certain United States Forest Service lands located in Lincoln County, Montana, to Lincoln County in the State of Montana.

AUGUST 23 (legislative day, AUGUST 18), 1994

Reported with an amendment

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[Report No. 103-355]

To provide for the transfer of certain United States Forest Service lands located in Lincoln County, Montana, to Lincoln County in the State of Montana.

IN THE SENATE OF THE UNITED STATES

MARCH 9 (legislative day, MARCH 3), 1993

Mr. BURNS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

AUGUST 23 (legislative day, AUGUST 18), 1994

Reported by Mr. JOHNSTON, with an amendment

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

A BILL

To provide for the transfer of certain United States Forest Service lands located in Lincoln County, Montana, to Lincoln County in the State of Montana.

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 “Lincoln County, Mon-
5 tana, Public Lands Transfer Act of 1993”.

1 **SEC. 2. TRANSFER OF PUBLIC LANDS.**

2 The Secretary of Agriculture (hereinafter in this Act
3 referred to as the "Secretary") shall transfer in accord-
4 ance with this Act approximately three hundred forty
5 acres of public lands generally depicted in section 3 of this
6 Act within ninety days of this Act becoming law.

7 **SEC. 3. LAND TRANSFER TO LINCOLN COUNTY, MONTANA.**

8 (a) ~~TRANSFER.~~—The Secretary shall transfer, with-
9 out consideration, all right, title, and interest, both surface
10 and subsurface, the following areas of the United States
11 to Lincoln County, Montana:

12 (1) Approximately 99.5 acres of public lands
13 described as SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW
14 $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ S/E $\frac{1}{4}$ SW $\frac{1}{4}$ of Section
15 35, T31N, R31W, PMM, commonly referred to as
16 the old Libby Airport across State Highway 37 from
17 the Libby Ranger Station, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec-
18 tion 34, except that portion lying north and west of
19 the centerline of State Highway 37.

20 (2) Approximately 11 acres of public lands lo-
21 cated in the Section 11, T36N, R27W, PMM, being
22 that portion of Tracts 1 and 2 of Plat Number 500,
23 Lincoln County Records, currently being occupied by
24 the Lincoln County improvements. Said tract is sub-
25 ject to prior conveyance recorded in Microfilm Book
26 122, Page 903, Lincoln County Records.

1 (3) Approximately 2 acres of such lands which
2 is a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23,
3 T37N, R31W, commonly referred to as the Boyd
4 Cemetery.

5 (4) Timber and mineral rights at the new Libby
6 Airport located in Sections 7 and 8, Twp, R30W,
7 PMM.

8 (5) Approximately 30 acres of such lands,
9 T30N, R31W, PMM of Section 9; NE $\frac{1}{4}$ NW $\frac{1}{4}$
10 NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, comprising a portion
11 of the campus of the Libby Junior High School.

12 (6) Approximately 27.68 acres which is de-
13 scribed as Tract A100-1 on Certificate of Survey
14 numbered 1511.

15 (7) Approximately 40 acres which are currently
16 leased from the Forest Service contained in T31N,
17 R31W, Section 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$; approximately 20
18 acres of T31N, R31W, Section 21, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE
19 $\frac{1}{4}$; approximately 25 acres of T31N, R31W, Section
20 27, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
21 NW $\frac{1}{4}$; approximately 85 acres of T31N, R31W,
22 Section 28, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$
23 and N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ SW
24 $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N
25 $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Lincoln County, Mon-*
3 *tana, Lands Transfer Act of 1994”.*

4 **SEC. 2. CONVEYANCE OF PROPERTY.**

5 *(a) As soon as practicable, but in no event not later*
6 *than 180 days after the date of enactment of this Act, the*
7 *Secretary of Agriculture (hereinafter the “Secretary”) shall*
8 *convey, without consideration, all right, title, and interest*
9 *of the United States to the following lands located within*
10 *the boundaries of the Kootenai National Forest, Montana,*
11 *to Lincoln County, Montana—*

12 *(1) approximately 30 acres, as generally depicted*
13 *on the map entitled “Kootenai National Forest*
14 *Lands—Libby Junior High School” dated August*
15 *1994;*

16 *(2) approximately 2 acres, as generally depicted*
17 *on the map entitled “Kootenai National Forest*
18 *Lands—Boyd Cemetery” dated August 1994;*

19 *(3) approximately 27.68 acres, as generally de-*
20 *scribed on the map entitled “Kootenai National Forest*
21 *Lands—Yaak Ambulance Barn” dated August 1994;*

22 *(4) approximately 170 acres, as generally de-*
23 *scribed on the map entitled “Kootenai National Forest*
24 *Lands—Libby Landfill” dated August 1994;*

25 *(5) approximately 11 acres, as generally depicted*
26 *on the map entitled “Kootenai National Forest*

1 *Lands—Eureka Administration Site*” dated August
2 1994; and

3 (6) approximately 99.5 acres, as generally de-
4 picted on the map entitled “Kootenai National Forest
5 Lands—Old Libby Airport” dated August 1994.

6 (b) As soon as practicable after the date of enactment
7 of this Act, the Secretary shall convey, without consider-
8 ation, the timber and mineral rights to approximately
9 182.04 acres at the new Libby Airport, as generally depicted
10 on the map entitled “Kootenai National Forest Lands—
11 Timber and Mineral Rights Transfer at Libby Airport”
12 dated August 1994, to Lincoln County, Montana.

13 (c) If the lands referred to in subsection (a) cease to
14 be used for public purposes, such lands shall revert to the
15 United States: Provided, That the lands shall not revert if
16 the Secretary determines that such lands, or any portion
17 thereof, have become contaminated with hazardous sub-
18 stances (as defined in the Comprehensive Environmental
19 Response, Compensation, and Liability Act of 1980 (42
20 U.S.C. 9601 and following)).

21 **SEC. 3. RELEASE.**

22 Upon the transfer of any lands or interests therein
23 identified in section 2 of this Act to Lincoln County, Lin-
24 coln County shall release the United States from any liabil-
25 ity for claims relating to such lands or interests therein.

1 **SEC. 4. MAPS.**

2 *The maps referred to in this Act shall be on file and*
3 *available for public inspection in the Office of the Chief of*
4 *the Forest Service, in Washington, D.C.*