

108TH CONGRESS  
1ST SESSION

# H. R. 1092

To authorize the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2003

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

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## A BILL

To authorize the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, 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 “Nevada National For-  
5 est Land Disposal Act of 2003”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The United States owns, and the Forest  
9 Service administers, land in small and large parcels  
10 in Carson City and Douglas County, Nevada.

1           (2) Much of this Federal land is interspersed  
2           with or adjacent to private land, which renders the  
3           Federal land difficult, inefficient, and expensive for  
4           the Forest Service to manage and more appropriate  
5           for disposal.

6           (3) In order to promote responsible and orderly  
7           development in Carson City and Douglas County,  
8           Nevada, appropriate parcels of the Federal land  
9           should be sold by the Federal Government based on  
10          recommendations made by units of local government  
11          and the public.

12          (b) PURPOSE.—The purpose of this Act is to provide  
13          for the sale of certain parcels of Federal land in Carson  
14          City and Douglas County, Nevada.

15          **SEC. 3. DISPOSAL OF NATIONAL FOREST SYSTEM LANDS,**  
16                                   **CARSON CITY AND DOUGLAS COUNTY, NE-**  
17                                   **VADA.**

18          (a) DISPOSAL AUTHORIZED.—The Secretary of Agri-  
19          culture (in this section referred to as the “Secretary” may  
20          sell any right, title, or interest of the United States in  
21          and to the following parcels of National Forest System  
22          lands in Carson City or Douglas County, Nevada:

23                (1) The parcel of land referred to as the “Car-  
24                son Parcel”, consisting of approximately 3 acres,  
25                and more particularly described as the southeast

1 quarter, section 31, township 15 north, range 20  
2 east, Mount Diablo Base and Meridian.

3 (2) The parcel of land referred to as the “Jacks  
4 Valley/Highway 395 Parcel”, consisting of approxi-  
5 mately 28 acres, and more particularly described as  
6 the southeast quarter, section 6, township 14 north,  
7 range 20 east, Mount Diablo Base and Meridian.

8 (3) The parcel of land referred to as the “In-  
9 dian Hills Parcel”, consisting of approximately 75  
10 acres, and more particularly described as the south-  
11 west quarter, section 18, township 14 north, range  
12 20 east, Mount Diablo Base and Meridian.

13 (4) The parcel of land referred to as the  
14 “Mountain House Area Parcel”, consisting of ap-  
15 proximately 40 acres, and more particularly de-  
16 scribed as the northwest quarter northeast quarter,  
17 section 12, township 10 north, range 21 east, Mount  
18 Diablo Base and Meridian.

19 (5) The parcel of land referred to as the “Hol-  
20 brook Junction Area Parcel”, consisting of approxi-  
21 mately 70 acres, and more particularly described as  
22 the west half southeast quarter, section 7, township  
23 10 north, range 22 east, Mount Diablo Base and  
24 Meridian.

1           (6) The two parcels of land referred to as the  
2           “Topaz Lake Parcels”, consisting of approximately  
3           5 acres, and more particularly described as the  
4           northwest quarter, section 29, township 10 north,  
5           range 22 east, Mount Diablo Base and Meridian.

6           (7) Any other parcel of National Forest System  
7           land in Carson City or Douglas County, Nevada, de-  
8           termined by the Secretary to be appropriate for sale.

9           (b) MODIFICATION OF DESCRIPTIONS.—The Sec-  
10          retary may—

11           (1) correct typographical or clerical errors in  
12           the descriptions of land specified in subsection (a);  
13           and

14           (2) for the purposes of soliciting offers for the  
15           sale of such land, modify the descriptions based  
16           on—

17                   (A) a survey; or

18                   (B) a determination by the Secretary that  
19           the modification is in the best interest of the  
20           public.

21          (c) SELECTION AND SALE.—

22           (1) JOINT SELECTION REQUIRED.—The Sec-  
23           retary and the unit of local government in which the  
24           land described in subsection (a) is located shall

1 jointly determine whether the land is to be offered  
2 for sale under this section.

3 (2) COORDINATION.—The Secretary shall co-  
4 ordinate the sale of land under this section with the  
5 unit of local government in which the land is located.

6 (3) ZONING LAWS.—The sale of land under this  
7 section shall be in accordance with local land use  
8 planning and zoning laws and regulations.

9 (4) SOLICITATIONS OF OFFERS.—The Secretary  
10 shall solicit offers for the sale of land under this sec-  
11 tion, subject to any terms or conditions that the Sec-  
12 retary may prescribe. The Secretary may reject any  
13 offer made under this section if the Secretary deter-  
14 mines that the offer is not adequate or not in the  
15 public interest.

16 (5) METHOD OF SALE.—The Secretary may sell  
17 the land described in subsection (a) at public auc-  
18 tion.

19 (d) DISPOSITION OF PROCEEDS.—

20 (1) PAYMENTS AND DEPOSITS.—Of the gross  
21 proceeds from any sale of land under this section,  
22 the Secretary shall—

23 (A) pay five percent to the State of Ne-  
24 vada for use for the general education program  
25 of the State;

1 (B) pay five percent to the Carson Water  
2 Subconservancy District in the State;

3 (C) deposit 25 percent in the fund estab-  
4 lished under Public Law 90–171 (commonly  
5 known as the “Sisk Act”; 16 U.S.C. 484a); and

6 (D) retain and use, without further appro-  
7 priation, the remainder for the same purposes  
8 and in the same manner as funds appropriated  
9 to the Forest Service for wildland fire manage-  
10 ment in the State of Nevada.

11 (2) USE OF SISK ACT FUNDS.—The amounts  
12 deposited under paragraph (1)(C) shall be available  
13 to the Secretary until expended, without further ap-  
14 propriation, for the following purposes:

15 (A) Reimbursement of costs incurred by  
16 the Secretary in carrying out land sales under  
17 this section.

18 (B) The development and maintenance of  
19 parks, trails, and natural areas in Carson City,  
20 Douglas County, or Washoe County, Nevada, in  
21 accordance with a cooperative agreement en-  
22 tered into with the unit of local government in  
23 which the park, trail, or natural area is located.

24 (3) ADMINISTRATION.—Notwithstanding Public  
25 Law 85–862 (16 U.S.C. 521a), the Secretary shall

1 manage any land (including land reserved from the  
2 public domain) acquired under paragraph (2)(A) in  
3 accordance with the Act of March 1, 1911 (com-  
4 monly known as the “Weeks Law”; 16 U.S.C. 480  
5 et seq.).

6 (e) RELATION TO OTHER LAW.—The land described  
7 in subsection (a) shall not be subject to chapter 5, title  
8 40, United States Code.

9 (f) WITHDRAWAL.—Subject to valid existing rights,  
10 all Federal land described in subsection (a) is withdrawn  
11 from location, entry, and patent under the public land  
12 laws, mining laws, and mineral leasing laws, including geo-  
13 thermal leasing laws.

14 (g) REVOCATION OF PUBLIC LAND ORDERS.—

15 (1) IN GENERAL.—To facilitate the sale of par-  
16 cels of land described in subsection (a), the Sec-  
17 retary shall revoke any public land orders in exist-  
18 ence on the date of the enactment of this Act that  
19 withdraw the parcels from all forms of appropriation  
20 under the public land laws, to the extent that the or-  
21 ders apply to land described in such subsection (a).

22 (2) EFFECTIVE DATE.—A revocation under  
23 paragraph (1) shall be effective on the date on which  
24 the instrument conveying the parcels of land subject  
25 to the public land order is executed.

1       (h) REPORT.— The Secretary shall submit to the  
2 Committee on Agriculture and the Committee on Re-  
3 sources of the House of Representatives and the Com-  
4 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
5 ate an annual report on all land sales made under this  
6 section.

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