

113TH CONGRESS
2D SESSION

S. 1983

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 SENATE OF THE UNITED STATES

FEBRUARY 3, 2014

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

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. SHORT TITLE.**

4 This Act may be cited as the “Fernley Economic Self-
5 Determination Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

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

10 (3) MAP.—The term “map” means the map en-
11 titled “Proposed Fernley, Nevada, Land Sales” and
12 dated January 25, 2013.

13 **SEC. 3. CONVEYANCE OF CERTAIN FEDERAL LAND TO CITY**
14 **OF FERNLEY, NEVADA.**

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

1 right, title, and interest of the United States in and to
2 such Federal land.

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

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

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

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

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

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

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

1 (1) the operation and maintenance of the
2 Truckee 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
6 the Secretary, as appropriate, for the reasonable trans-
7 action and administrative personnel costs associated with
8 the conveyance authorized under such subsection, includ-
9 ing the costs of appraisal, title searches, maps, and bound-
10 ary and 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. 4. RELEASE OF UNITED STATES.**

17 Upon making the conveyance under section 3, not-
18 withstanding any other provision of law, the United States
19 is released from any and all liabilities or claims of any
20 kind or nature arising from the presence, release, or threat
21 of release of any hazardous substance, pollutant, contami-
22 nant, petroleum product (or derivative of a petroleum
23 product of any kind), solid waste, mine materials or min-
24 ing related features (including tailings, overburden, waste
25 rock, mill remnants, pits, or other hazards resulting from

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

3 **SEC. 5. WITHDRAWAL.**

4 Subject to valid existing rights, the Federal land to
5 be conveyed under section 3 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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