AMENDMENT TO RULES COMM. PRINT 116–19
OFFERED BY MR. LA MALFA OF CALIFORNIA

At the end of subtitle D of title XXVIII, add the following new section:

SEC. 28. LAND CONVEYANCE, OVER-THE-HORIZON BACKSCATTER RADAR SYSTEM RECEIVING STATION, MODOC COUNTY, CALIFORNIA.

(a) CONVEYANCE REQUIRED.—Subject to subsections (c), (d), and (e), the Secretary of Agriculture may convey to Modoc County, California (in this section referred to as the “County”), all right, title, and interest of the United States in and to a parcel of National Forest System land, including improvements thereon, consisting of approximately 927 acres in Modoc National Forest in the State of California and containing an obsolete Over-the-Horizon Backscatter Radar System receiving station established on the parcel pursuant to a memorandum of agreement between the Department of the Air Force and Forest Service dated May 18 and 23, 1987.

(b) PURPOSE OF CONVEYANCE.—The purpose of the conveyance under subsection (a) is to preserve and utilize the improvements constructed on the parcel of National Forest System land described in such subsection and to
permit the County to use the conveyed property, including improvements thereon, for economic development purposes.

(c) CONSIDERATION.—As consideration for the conveyance under subsection (a), the County shall provide the United States with consideration in an amount that is acceptable to the Secretary of Agriculture, whether by cash payment, in-kind consideration, or a combination thereof.

(d) APPRAISAL.—

(1) APPRAISAL REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall conduct an appraisal to determine the fair market value of the National Forest System lands to be conveyed.

(2) STANDARDS.—The appraisal under paragraph (1) shall be conducted in accordance with—

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

(B) the Uniform Standards of Professional Appraisal Practice.

(e) RESERVATION OF EASEMENT RELATED TO CONTINUED USE OF WATER WELLS.—The conveyance required by subsection (a) shall be conditioned on the reservation of an easement by the Secretary of Agriculture, subject to such terms and conditions as the Secretary
deems appropriate, necessary to provide access for use au-
thorized by the Secretary of the four water wells in exist-
ence on the date of the enactment of this Act and associ-
ated water conveyance infrastructure on the parcel of Na-
tional Forest System lands to be conveyed.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of
Agriculture shall require the County to cover costs
(except costs for environmental remediation of the
property) to be incurred by the Secretary, or to re-
imburse the Secretary for such costs incurred by the
Secretary, to carry out the conveyance under sub-
section (a), including survey costs, costs for environ-
mental documentation, and any other administrative
costs related to the conveyance. If amounts are col-
lected from the County in advance of the Secretary
incurring the actual costs, and the amount collected
exceeds the costs actually incurred by the Secretary
to carry out the conveyance, the Secretary shall re-
fund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—
Amounts received as reimbursement under para-
graph (1) shall be credited to the fund or account
that was used to cover those costs incurred by the
Secretary of Agriculture in carrying out the convey-
ance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(g) **ENVIRONMENTAL REMEDIATION.**—

(1) **IN GENERAL.**—To expedite the conveyance of the parcel of National Forest System land described in subsection (a), including improvements thereon, environmental remediation of the land by the Department of the Air Force shall be limited to the removal of the perimeter wooden fence, which was treated with an arsenic-based weatherproof coating, and treatment of soil affected by leaching of such chemical.

(2) **POTENTIAL FUTURE ENVIRONMENTAL REMEDIATION RESPONSIBILITIES.**—Notwithstanding the conveyance of the parcel of National Forest System land described in subsection (a), the Secretary of the Air Force shall be responsible for the remediation of any environmental contamination, discovered post-conveyance, that is attributed to Air Force occupancy of and operations on the parcel pre-conveyance.
(h) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of Agriculture.

(i) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section shall be construed to affect or limit the application of or obligation to comply with any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).