

**AMENDMENT TO RULES COMM. PRINT 116-19**  
**OFFERED BY MR. LAMALFA OF CALIFORNIA**

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

1 **SEC. 28\_\_ . LAND CONVEYANCE, OVER-THE-HORIZON**  
2 **BACKSCATTER RADAR SYSTEM RECEIVING**  
3 **STATION, MODOC COUNTY, CALIFORNIA.**

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

16 (b) PURPOSE OF CONVEYANCE.—The purpose of the  
17 conveyance under subsection (a) is to preserve and utilize  
18 the improvements constructed on the parcel of National  
19 Forest System land described in such subsection and to

1 permit the County to use the conveyed property, including  
2 improvements thereon, for economic development pur-  
3 poses.

4 (c) CONSIDERATION.—As consideration for the con-  
5 veyance under subsection (a), the County shall provide the  
6 United States with consideration in an amount that is ac-  
7 ceptable to the Secretary of Agriculture, whether by cash  
8 payment, in-kind consideration, or a combination thereof.

9 (d) APPRAISAL.—

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

15 (2) STANDARDS.—The appraisal under para-  
16 graph (1) shall be conducted in accordance with—

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

19 (B) the Uniform Standards of Professional  
20 Appraisal Practice.

21 (e) RESERVATION OF EASEMENT RELATED TO CON-  
22 TINUED USE OF WATER WELLS.—The conveyance re-  
23 quired by subsection (a) shall be conditioned on the res-  
24 ervation of an easement by the Secretary of Agriculture,  
25 subject to such terms and conditions as the Secretary

1 deems appropriate, necessary to provide access for use au-  
2 thorized by the Secretary of the four water wells in exist-  
3 ence on the date of the enactment of this Act and associ-  
4 ated water conveyance infrastructure on the parcel of Na-  
5 tional Forest System lands to be conveyed.

6 (f) PAYMENT OF COSTS OF CONVEYANCE.—

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

21 (2) TREATMENT OF AMOUNTS RECEIVED.—

22 Amounts received as reimbursement under para-  
23 graph (1) shall be credited to the fund or account  
24 that was used to cover those costs incurred by the  
25 Secretary of Agriculture in carrying out the convey-

1       ance. Amounts so credited shall be merged with  
2       amounts in such fund or account, and shall be avail-  
3       able for the same purposes, and subject to the same  
4       conditions and limitations, as amounts in such fund  
5       or account.

6       (g) ENVIRONMENTAL REMEDIATION.—

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

16          (2) POTENTIAL FUTURE ENVIRONMENTAL RE-  
17      MEDIATION    RESPONSIBILITIES.—Notwithstanding  
18      the conveyance of the parcel of National Forest Sys-  
19      tem land described in subsection (a), the Secretary  
20      of the Air Force shall be responsible for the remedi-  
21      ation of any environmental contamination, discov-  
22      ered post-conveyance, that is attributed to Air Force  
23      occupancy of and operations on the parcel pre-con-  
24      veyance.

1           (h) DESCRIPTION OF PROPERTY.—The exact acreage  
2 and legal description of the property to be conveyed under  
3 subsection (a) shall be determined by a survey satisfactory  
4 to the Secretary of Agriculture.

5           (i) COMPLIANCE WITH ENVIRONMENTAL LAWS.—  
6 Nothing in this section shall be construed to affect or limit  
7 the application of or obligation to comply with any envi-  
8 ronmental law, including the Comprehensive Environ-  
9 mental Response, Compensation, and Liability Act of  
10 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Dis-  
11 posal Act (42 U.S.C. 6901 et seq.).

