

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1695

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IN THE SENATE OF THE UNITED STATES

MARCH 20, 2000

Received; read twice and referred to the Committees on Energy and Natural  
Resources

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## AN ACT

To provide for the conveyance of certain Federal public lands  
in the Ivanpah Valley, Nevada, to Clark County, Nevada,  
for the development of an airport facility, and for other  
purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ivanpah Valley Airport  
3 Public Lands Transfer Act”.

4 **SEC. 2. CONVEYANCE OF LANDS TO CLARK COUNTY, NE-**  
5 **VADA.**

6 (a) IN GENERAL.—Notwithstanding the land use  
7 planning requirements contained in sections 202 and 203  
8 of the Federal Land Policy and Management Act of 1976  
9 (43 U.S.C. 1712 and 1713), but subject to subsection (b)  
10 of this section and valid existing rights, the Secretary shall  
11 convey to the County all right, title, and interest of the  
12 United States in and to the Federal public lands identified  
13 for disposition on the map entitled “Ivanpah Valley, Ne-  
14 vada-Airport Selections” numbered 01, and dated April  
15 1999, for the purpose of developing an airport facility and  
16 related infrastructure. The Secretary shall keep such map  
17 on file and available for public inspection in the offices  
18 of the Director of the Bureau of Land Management and  
19 in the district office of the Bureau located in Las Vegas,  
20 Nevada.

21 (b) CONDITIONS.—The Secretary shall make no con-  
22 veyance under subsection (a) until each of the following  
23 conditions are fulfilled:

24 (1) The County has conducted an airspace as-  
25 sessment to identify any potential adverse effects on  
26 access to the Las Vegas Basin under visual flight

1 rules that would result from the construction and  
2 operation of a commercial or primary airport, or  
3 both, on the land to be conveyed.

4 (2) The Federal Aviation Administration has  
5 made a certification under section 4(b).

6 (3) The County has entered into an agreement  
7 with the Secretary to retain ownership of Jean Air-  
8 port, located at Jean, Nevada, and to maintain and  
9 operate such airport for general aviation purposes.

10 (c) PAYMENT.—

11 (1) IN GENERAL.—As consideration for the con-  
12 veyance of each parcel, the County shall pay to the  
13 United States an amount equal to the fair market  
14 value of the parcel.

15 (2) DEPOSIT IN SPECIAL ACCOUNT.—The Sec-  
16 retary shall deposit the payments received under  
17 paragraph (1) in the special account described in  
18 section 4(e)(1)(C) of the Southern Nevada Public  
19 Land Management Act of 1998 (112 Stat. 2345).  
20 The second sentence of section 4(f) of such Act (112  
21 Stat. 2346) shall not apply to interest earned on  
22 amounts deposited under this paragraph.

23 (d) REVERSION AND REENTRY.—If, following com-  
24 pletion of compliance with section 5 of this Act, the Fed-  
25 eral Aviation Administration and the County determine

1 that an airport cannot be constructed on the conveyed  
2 lands—

3 (1) the Secretary of the Interior shall imme-  
4 diately refund to the County all payments made to  
5 the United States for such lands under subsection  
6 (c); and

7 (2) upon such payment—

8 (A) all right, title, and interest in the lands  
9 conveyed to the County under this Act shall re-  
10 vert to the United States; and

11 (B) the Secretary may reenter such lands.

12 **SEC. 3. MINERAL ENTRY FOR LANDS ELIGIBLE FOR CON-**  
13 **VEYANCE.**

14 The public lands referred to in section 2(a) are with-  
15 drawn from mineral entry under the Act of May 10, 1872  
16 (30 U.S.C. 22 et seq.; popularly known as the Mining Law  
17 of 1872) and the Mineral Leasing Act (30 U.S.C. 181 et  
18 seq.).

19 **SEC. 4. ACTIONS BY THE DEPARTMENT OF TRANSPOR-**  
20 **TATION.**

21 (a) DEVELOPMENT OF AIRSPACE MANAGEMENT  
22 PLAN.—The Secretary of Transportation shall, in con-  
23 sultation with the Secretary, develop an airspace manage-  
24 ment plan for the Ivanpah Valley Airport that shall, to  
25 the maximum extent practicable and without adversely im-

1 pacting safety considerations, restrict aircraft arrivals and  
2 departures over the Mojave Desert Preserve in California.

3 (b) CERTIFICATION OF ASSESSMENT.—The Adminis-  
4 trator of the Federal Aviation Administration shall certify  
5 to the Secretary that the assessment made by the County  
6 under section 2(b)(1) is thorough and that alternatives  
7 have been developed to address each adverse effect identi-  
8 fied in the assessment, including alternatives that ensure  
9 access to the Las Vegas Basin under visual flight rules  
10 at a level that is equal to or better than existing access.

11 **SEC. 5. COMPLIANCE WITH NATIONAL ENVIRONMENTAL**  
12 **POLICY ACT OF 1969 REQUIRED.**

13 Prior to construction of an airport facility on lands  
14 conveyed under section 2, all actions required under the  
15 National Environmental Policy Act of 1969 (42 U.S.C.  
16 4321 et seq.) with respect to initial planning and construc-  
17 tion shall be completed by the Secretary of Transportation  
18 and the Secretary of the Interior as joint lead agencies.

19 **SEC. 6. DEFINITIONS.**

20 In this Act—

21 (1) the term “County” means Clark County,  
22 Nevada; and

1           (2) the term “Secretary” means the Secretary  
2           of the Interior.

          Passed the House of Representatives March 9,  
2000.

Attest:

JEFF TRANDAHL,

*Clerk.*